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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

ROSEBUD SIOUX TRIBE, <i>et al.</i> ,	CV 18-118-GF-BMM
Plaintiffs,	
v.	<b>DEFENDANTS' MOTION TO DISMISS PLAINTIFFS' FIRST AMENDED COMPLAINT</b>
DONALD J. TRUMP, <i>et al.</i> ,	
Defendants,	
and	
TC ENERGY CORP., <i>et al.</i> ,	
Defendant-Intervenors.	

Defendants U.S. Department of State *et al.* hereby move, pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6), to dismiss Plaintiffs' First Amended Complaint for Declaratory and Injunctive Relief (ECF No. 58). The grounds for this motion are set forth in the accompanying memorandum in support.

Pursuant to local rule 7.1(c)(1), Defendants' counsel contacted counsel for the parties regarding the filing of this motion. Plaintiffs Rosebud Sioux Tribe *et al.* oppose this motion and Defendant-Intervenors TC Energy Corp. *et al.* do not oppose this motion.

Respectfully submitted this 27th day of June, 2019,

LAWRENCE J. VANDYKE  
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/s/ Luther L. Hajek  
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**CERTIFICATE OF SERVICE**

I hereby certify that on June 27, 2019, a copy of the foregoing Defendants' Motion to Dismiss Plaintiffs' First Amended Complaint was served on all counsel of record via the Court's CM/ECF system.

/s/ Luther L. Hajek  
LUTHER L. HAJEK  
U.S. Department of Justice